

Alleen de landelijke
renten konden

GENERAL AND REVENUE SECRETARIAT.

(Muz.)

NOTES.

File No. 90-
29

FILE HEADING.

Construction of an Idga in S. no. 79 of Ketamanna-
hally Village, Bangalore Taluk.

FROM

The Muz. Comr.

No. 1653

Dated

13. 9. 29

Received

Diary No.

4410

Enclos.

171e

Spare copies -

Serial No. /

BRIEF ABSTRACT OF LETTER

Recommends for reasons stated, that the
Idga refd. to which was constructed under a
License granted by the Bangalore city Municipality
may be allowed to stand, the Munenwara temple which
is situated in a corner of the said S. no. being pulled out.

NOTES AND ORDERS.

Sl. 2. From, the M. C. Letter no. c. 1653 of 24.10.29.
H Submits the views of the Municipality
that they cannot undertake to put up a
wall round the temple near the
Idga if the interests of the
temple is worth the cost.

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that the Municipality cannot brush
aside its responsibility so easily.

1) The m.c's letters explain the
facts of the case.

2) Before passing orders, it seems
desirable to get further information
on certain points. Of course
submit for app'l or other orders.

AV
9/11/29.
LWS
9/4

On 30.10.1915 the president
of Kethamarenahalli ^{traded agent} applied
to the Amildar of the Bangalore
District, ^{request} to prevent the construction
of an Idga by the Mahomedans
on site No 79 of their village,
as there was a ^{situated} Muslim
temple there, and the construction
of the said Idga would
interfere with the due
performance of their
religion. This application
was forwarded to the M.C. in
Bangalore City as the question was
in the meanwhile certain
Muslim residents of
Kethamarenahalli ^{had} applied
to the President, M.C. in
Bangalore City, for the grant
of the site in question for the
construction of the Idga.

The m.c. then was
a file in the m.c.
and the only file in
which I found information
in which it was
not considered a Muslim
temple alone - but
the m.c. had also
received the m.c.
instructions for continuing
the note.

Ref V

then under its
consideration

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90

of 92 9.

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Committee consisting of the Mal Executive Engineer, the Health Officer and Mr Venkataranga Iyengar was constituted to enquire into the matter. The

Municipal Health Officer

W

~~Committee~~ reported that as the site selected by the Mahomedans was situated in close proximity to the future Ryots block and the Hindu burial ground, there was scope for potential disturbance of peace and that under these circumstances a piece of land further west would probably be more suitable.

But on 2-4-1918, Mr Venkataranga Iyengar, on behalf of the Committee appointed as above, recommended that S. no. 799 the village (which was granted to by the Hindus) might be granted to the Mahomedans for the construction of the Doga. This land was ascertained to be an unoccupied Govt parcel.

In July 1918 the Shaukhar of Ketham as anahalli, Hyderabad,

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a petition requesting that the land bearing SNo 79 may not be given over to Mahomedans for construction of Idga as there is a Hindu temple there.

In his letter no 3420 dated the 25th/26th June 1918, the ~~Ind~~ ~~President~~ ~~has~~ requested by Commr, Bangalore, to reserve the said bit of land for the construction of an Idga. A copy of this was sent to the Amildar for report.

An enquiry was made in the matter and certain people of the village gave a statement to the effect that they had no objection to the grant of the land to the Mahomedans as requested, on the following conditions

- (1) ^{that} The grass and trees in the lope ^{land} ~~land~~ not be interfered with but to be allowed for the use of the villagers as heretofore;
- (2) ^{that} Cows ^{and} ~~not~~ be slaughtered;
- (3) That they should be allowed to perform Mushkara puja be occasionally on the land nearer the temple situated on the northern side of it,

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Flag A.

2

Flag 2

that the Mahomedans should so conduct themselves on the occasions that they visit the place for offering prayers as not to give offence to the Hindu Hindus. This was forwarded to the Dy Commr, Bny almost (thru' the Asst Commr in charge) for orders.

8) In reply, the Dy Commr forwarded the case to the Asst Commr for further enquiry and report. ~~after~~ This was in turn sent to the Amildar for personal local enquiry and report.

In his report dated the 23rd Sept 1929, the Amildar ~~reported~~ ~~states~~ that there ~~was~~ a Hindu temple, where many people resorted to worship in great sacrifice, that there was the risk of friction between the Hindus and Mahomedans in case the latter were also allowed to use the same temple for religious purposes, that in case the Mahomedans

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cannot be given same other
land for the construction of the
Doga, it would be desirable
to wall off the two areas
into separate blocks. This
report was ruled to the Dy
Commr by the Govt Commr
with the remark that it
was not desirable to per-
mit the Muhammadans to
put up an Doga, and on
this report the Dy Commr
~~has~~ ordered that the Muham-
mads might be informed
that the Doga could not
be granted to them for
Doga, and this was done
on 29.4.1927

But the Muhammadans, on
the authority of a license
granted to them in this behalf
by the Muhammadan Agency, started the work of constructing
an Doga and declined to
give any statement to the
Revenue authorities as to why
they were proceeding with the
work, in spite of orders to the
contrary. Please refer the

Hug L

Hug R

By the Muhammadan Agency

2E J.P.T.O.
Shaitan's
report.

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Amildar of the Bangalore District wrote to the President of the City Municipal Council to keep the license granted to the Mussalman in abeyance pending disposal of the matter and Mr Amernaddin, the representative of the Mussalman of Malleshwari was requested not to proceed with the work and the Dy Commr was also informed of the action taken in the matter. In memo dated 12th 7.

The Dy Commr informed Mr Amernaddin and others that they should not build the Idga and that they may go in appeal against the order of the Dy Commr in case they were so advised.

In his letter dated the 28th April 1928 to the Muzrai Commr the Dy Commr, Bangalore, submitted a report to the Muzrai Commr on the subject.

In his letter dated the 18th July 1928 the Dy Commr, Bangalore City, has informed the Dy Commr, Bangalore, that the Idga is to be built.

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L,
P V D,
P V D₂

(S 2079 of the Khammam District was included within the limits of the Municipality for custody the Doga and that as the Doga had already been built, it would serve no useful purpose to withdraw the license.

Thereupon the Municipal Council reported to Govt that the Doga may be allowed to stand and that the Municipality temple situated in a corner of the site might be walled off as recommended by the Dy Commr.

The Municipal Council has also suggested that the separation wall to be put up between the Doga & the temple should be put up at the cost of the Municipality.

The other file of Vernacular records received from the Municipal Council contains papers relating to the inclusion of certain outlying lands within the limits of Bangalore, one of which is

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being the sunny no 79 of
Kulhemmenambelli village.
This inclusion was
by Govt in notn no 41287
Vol 143-21-2 dated 25.1.29,
and at the time when this
list of land was
designed to be included within
the Vol limits, the Municipality
Council had the idea of
giving it out
for an Doga.

(1) Points for orders now are:
(1) whether the Vol Council was
in order to grant a license
for the construction.

Doga on S no 79 of K.V
(2) whether the Doga constructed
in contravention to the orders
of the Dy Commr should be
allowed to continue as a
place of worship by the
Mahomedans.

(3) whether it is enough if a
separating wall is
put up between the Doga
and the mosque as a temple
and if so

(4) at interest cost

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1) Suled for orders.

Cg.

3/12/29

Through the Sule No 79 of the village was ~~was~~ within the municipal limits, the municipal authorities cannot allow such construction. As they have by their act, brought the present situation, we must not have ~~any~~ to bear the ~~burden~~, cost as recommended by the Municipal Council.

$$\frac{400}{29} = 2$$

H. Suley)

$$\frac{28}{3/12}$$

With compliments.

To Chief Secy (B. & H.?) for

favour of opinion = $\frac{1}{2}$

11/12/29.

There is no doubt that the Municipality had no authority ~~power~~ to authorise the construction of a ~~maga~~ Daga in this Survey No. The mere fact that the municipal boundaries were extended with the sanction of Govt does not mean that Govt meant to hand over ~~all~~ Govt lands within the extended boundaries to the control of the municipal council. The proper authorities to have dealt with the matter were certainly the Rev & Muslim Officers ~~According to chief~~

6967
u/vCHIEF SE
12.5.1929

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However, as the Logah has already been constructed and as there can be no question now of removing it, the only point for consideration now is what safeguards should be adopted to prevent the possibility of fire. The Dy Commr Bangalore and the Municipal Commr may be asked to examine the matter & submit their proposals to Govt through the Mussai Commr -

Returned to Mys Settl with amples

28/12

7. The solution that has been suggested by the Dy Commr is to put up a wall round the temple situated in the S.N. 79. (Vide also Dy Commr's letter of 13.9.29).

8. The question is - who is to execute this work -

The city M.C. which granted the license to construct an Logah on its own responsibility and without the concurrence of the Dy Commr, should naturally bear the cost of the work. Its attitude in disclaiming responsibility to secure amity among the two communities in this case is not justifiable. Besides it is clear from the records that it has appropriated for its own use the proceeds of the Amaraige produce in the Logah type, which should be rightly be credited to the Logah - Varnas. The matter seems to be one for decision

in the Local Self Govt branch
WD 066-GRB-30,000-26-7-29

1st member

8776
30/12

3895

NOTE—Contn. sheet.

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The Municipality has acted without authority and it is also taking whatever revenue the land yields. It ought therefore to provide, at its expense the Safeguards necessary for preventing conflicts between the two communities in using the land for their religious purposes at their respective institutions therein. What these Safeguards should be may be settled by the Dy Cr representing the Muzrai Dept and the Municipal Council representing the Municipality.

Mark
6/1/30

2nd member)

6/1/30

16 To whom does the land belong & who gets the usufruct of the trees or any rent from any other use of the land. If the mun^y does so, I think it ought to bear the expense of putting up the wall. If it is the govt. that gets the benefit, the wall maybe put up at govt cost.

As stated in the note of the 1st member the mun^y has been getting the revenue its duty is clear. I agree to the other suggestion of the 2nd member.

CSY

13/1/30
13/1/30

A Reference is made to the Adminis report of July 1928 & the Dir letter to Mr. C. G. 28th April 1928. H.D. - The land is claimed by the mun^y & the produce is reported to have been taken by H.D.

OFFICE OF THE
SECOND MEMBER OF COUNCIL

15 JAN. 1930

No. Sheet

Note-Con

WD 01684-GPB-30,000-20-1-29 Vide A supra plan

2 - member)

Serial
No.

5338

No 4176

if there seems to be some doubt in the matter.
Ask Dr. to confer with the Mem^l Com^l & report the
result

1st member

157/30

161/30

11) (Muz)

18/11/30

7 sample

Dpt Sales for a while

CB RK

20/1/30

21/1/30

22/1/30

Issued

10/1/30

to see Muz Com

3. No 1689 of 12-2-30

With reference to 12 suggests that the
Muz Com might confer with the Municipal
Com and submit the report re the
lands referred to in 10 + -

15/2

4.

Letter no 1653/28-29 of 29.1.31
from the Muzrai Commissioner stating
That a final report on the subject would
be submitted after the Mahomedans in
the place execute a mawaz

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in the matter and also submissions &
report as to the action so far taken
in regard to the recovery of amari
proceeds from the city municipality
as the revenue on the lands referred
to therein is due to Government.

2) As regards para 2 (P. U. W) final
report will be awaited. If appd -

3) Re: para 3 - P. U. W, The
view of the L. S. G. in the matter
will be obtained if appd.

5-5 9/2/31

10/2/31

H. Seeg)

38)

9.2.31

28)

Final report of action taken
re: paras 2 & 3 may be awaited

4-2-31

5-

Letter No. 1653/28-29 & 7.12.1931
from the Muzrai Commissioner
stating that the Mahomedans
who appeared before the Amildar
were not willing to execute the
Mushahida and that the British
have given them a letter with certain
limitations and stating that there
is no other solution of the difficulty
excepting that the place referred to
therein may be added under the
legislation

Sub

10.2.31

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40) To prevent any possible friction ~~between~~
there may arise for one reason or other,
it will be very necessary to obtain a
mutachalka from the Mahomedans
as well. If appd, the D.C. ~~may~~ ^{will} be
instructed to depete S.D.O. for
the purpose in as much as the
Mahomedans ~~the~~ place have refused
to give the ^{right} mutachalka to the British.

G.S. In-ords

14/12/29

Fl. Secy)

(11)

15.12.31

42 As the M.C. observes the arrangement proposed
is not satisfactory. It is desirable to take
all persuasive measures to have a mutachalka
executed by the Mahomedans. Otherwise
trouble is likely to arise when each party
exercises its rights without listening due consi-
deration to the interests of the other.

2nd meeting)

29/12/31.

43) It is very unlikely that the Mahomedans
who first agreed to give a mutachalka, have
~~now~~ backed out of it. It can be persuaded now
to give one.

44 A fort order may now be passed for a
dealing with the matter, pointing out that
that the land included in the title belongs to
fort & that the M.C. has no right of annexation.

over it, that the license granted by the Municipality was not sufficient authority for the construction of an idea on part land; that as the Judge has come with evidence but have decided to allow it to continue subject to the conditions now proposed (the enumerated)
 the average rights in the hope that the be assets designed by the Plan Dept

the
 - 11/32
 45
 Draft
 11/41

46
 45 MBK
 10/1 20/1/32

only for consideration

47 A revised draft of the map be shown on the lines indicated in the draft, which does not bring out the facts clearly

11/20/11

Revised of the rules for consideration
 45 MBK the draft appears very elaborate

(1) the draft requires revision. Please see instructions on the draft & revise accordingly

10/20

of the as discussed (sub)

45
 4/6

Draft revised (the 11)

11/6

51 Put up a clean draft as revised please

10/6/32

The C.O. has been given power to amend to this - this is very but - I want his explanation for this

10/6/32

Explanation of the C.O. must be separated

11/6/32
 I shall take it as separate

JUNE 1932

8422

File No. 90

of 1932-30

The long delay in the
the issuing of drafts is
very unsatisfactory.
Should like the MS
go into the matter and
suggest disciplinary action
be taken against the official
responsible.
I would like to see
the original separated
to the MS
will be separated
S. No. 79
22/6/32

Separately sent
to the MS
22/6/32

10871

Serial
No.

52) Typed draft subd
Recd
11/6/1932
For Secy)

For approval.
11/6/32

Please put up a clean draft and
submit to 1st member
17/6
20/6/32

Typed draft subd
Recd

I member)

For favour of approval
22/6/32

Please submit to
Second Member also

23/6/32

2nd member)

25/6/32

24-6-32

24/6/32

6 S. No 1976-80 of 28.6.32 following
the continuance of the Golga on
S. No 79 of Kethman and hallie
subject to conditions specified
therein

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore,.....12th September... 192

13.

No. 653 Sub 2 files

28-8

May 90-29-X

FROM

A. K. Syed Iqbal Iqbal, Esq., B.A.,
The Muzrai Commissioner in Mysore.

RECEIVED
14 SEP 1929

MUZRAI

440

TO

P. Srinivasa Iyengar, Esq., B.A., B.L.,

Secretary to the Government of His

Majesty the Maharaja of Mysore,

Financial Department.

SIR,

In submitting herewith copy of letter No.C.492 of 28-29 dated 21st March 1929 from the Deputy Commissioner, Bangalore District in the matter of construction of an Idga in S.No.79 of Kethamaranahally village, Bangalore Taluk, I have the honor to state that in Government Notification No.L.4123/M.F.143-21-2 dated 25th January 1922, the City Municipal limits have been extended so as to include within the -- Municipal area the tope bearing S.No.79 of Kethamaranahally village on account of the Idga for the Mahomedan residents of Malleswaram and Seshadripuram, as seen from the enclosed file received from the ---- Municipality.

2. As regards the construction of the Idga, it will be observed -- from the extract of Mr. Venkatarangienagar's letter of 10th February -- 1919 in the vernacular records that the objection against the construction of the Idga was at the instance of Ittigai Nagappa who has a brick factory close by and at whose suggestion a petition was got up by the Shanbhogue in the name of the ryots. While Government had accorded -- sanction so long ago as 1922, it was ultravires on the part of the -- Deputy Commissioner Mr. Hiriyanniah to have ordered that the tope should not be granted for Idga. A license was granted by the Municipality in December 1927 to the mahomedans and the Idga was constructed -- accordingly. In these circumstances, I request that the Idga may be allowed to stand as suggested by the Deputy Commissioner the ----

emp e, w. c s s tuated in a corner of
S.No., may be walled out.

The corrected records are herewith submitted for reference
and kind return.

I have the honor to be,

Sir,

Your most obedient servant,

A. W. Wapman

Muzrai Commissioner.

116

Letter No.C.492/28-29 dated 22nd March 1929 from the Deputy Commissioner, Bangalore District to the Muzrai Commissioner in Mysore.

Subject:- Grant of license by the Bangalore City Municipality for the construction of an Idga in Survey No.79 of Kethamarnahalli village, Bangalore Taluk.

Adverting to correspondence ending with your letter No.D₁ No. 254/27-28 dated 23rd May 1928 on the above subject, I have the honor to state that as already reported to you in my letter No.C.1-1705/26-27 dated 28th April 1928, the Municipal Commissioner, Bangalore City --- Municipal Council, was addressed in the matter of withdrawing in the circumstances stated, the license granted by the Municipality for the construction of the Idga in the land in question and on receipt of your letter dated 23rd May 1928 under reference, he was again requested to intimate the action taken to withdraw the license and to remit the -- realisations of the amara produce of the tope to the Amildar, Bangalore Taluk. But in his letter No.B.P.104/19th July (copy enclosed) the - Commissioner has replied that on the representation of the Musalmans of Seshadripuram, old Sowar lines and Malleswaram, the Municipality recommend the conclusion of Takrar tope bearing survey No.79 of Kethamarnahalli village in the Bangalore City Municipal limits for constructing an Idga and that the recommendation was sanctioned in Government Notification No.L.4128/M1.143-21-2 dated 25th January 1922 and states that as the - license has been granted and an Idga has to be built it would not serve any useful purpose to withdraw the license. As there is nothing in the Notification of January '22 referred/ to that the land was acquired specially for the purpose stated, the President has forwarded a copy of his letter to Government recommending the inclusion of the land together with the enclosure thereto viz., draft Notification submitted by the Municipality in this connection, containing a Memorandum explaining -- the necessity for acquisition in each case which ~~xxxxxx~~ are also -- enclosed herein.

2. There are two points involved in this case.

(1) The construction of an Idga on the Revenue land without reference to the Revenue or Muzrai Department.

(2) The appropriation of the 'Kharab Tope' and its revenue for itself by the Municipality.

As regards the 1st point it is seen that the construction of the Idga has been allowed on the authority of the Government Notification

agree with the Commissioner that it serves no purpose as the Idga was constructed long ago and has been in existence for some years.

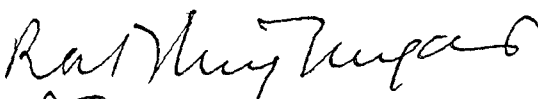
As regards the 2nd point it is to be urged whether the -- Municipality could put forward the plea that the mere promulgation of a Notification extending the limits of the Municipality vested the ownership of all Government lands included therein in the -- Municipality.

The land which is a tope burdened with the right of use of the Villages is very valuable besides being situated within a mile of Bangalore and having a large number of trees. Section 39 I.R.C. provides for the vesting in a Municipality of only such lands as are acquired at its expense or have been specially -- assigned to it but if the Municipality can be permitted to claim proprietary right over all Government lands included in its -- boundaries as it has done in this case there is no doubt that -- Government stand to lose a large slice of its legitimate Revenue.

I consider therefore that this matter is sufficiently important not only ~~from~~ from the point of view of correct procedure between the Municipal and the Government Departments but also of Government revenue and I request that the orders of ~~Govt~~ Government may be kindly obtained in the case.

Though the temple is not ~~an~~ of any importance, it is safe to have it walled off to prevent further complications and I am addressing the President to have it done at the cost of Municipality if he is of opinion that such a precaution is necessary.

"C o p y"


For ~~City~~rai Commissioner.

16 -29.

End one

& Muzrai
OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Camp Mysore,
Dated, ~~Bangalore~~ 21st October...1929

24

FROM

RAJAKARYA PRAVINA
P. G. D'SOUZA, Esq., B.A., B.L.,
Muzrai ~~Revenue~~ Commissioner in Mysore

Muzrai

D. no. 689

Financial
The ~~Chief~~ Secretary to the Government
of His Highness the Maharaja of Mysore,

Bangalore. D. 25-10

Aug 90-19-29

4927
CE
SIR,

H

In continuation of this office letter No. 1653 of 28-29 dated 13th September 1929 in re the survey number 79 of Kethamaranahalli village, Bangalore Taluk, I have the honour to forward herewith copy of the Bangalore District Deputy Commissioner's letter No. J.1-492 of 28-29 dated 5th September 1929 intimating the views of the Municipality in matter of walling out the Muniswara Temple situated near the Idga in S.No.79 of Ketnamaranahalli village of the Bangalore Taluk and to state that the extension of the Municipal limits so as to include S.No.79 does not by itself give the right to the Municipality to grant a license for the construction of an Idga especially when it is the Muzrai Officers that have to decide on the location of such religious institutions and the Deputy Commissioner has to investigate the matter in its bearing on the public peace and if the Municipality have taken on themselves to grant the license in consequence of which the structure has sprung up they have to look to the other requirement of walling up the place which has become necessary to prevent friction between the two communities owing to the existence of a Hindu Shrine from a long time past in its close vicinity. In the foregoing circumstance, I think that the Municipality cannot brush aside its responsibility so easily. I submit the matter for the orders of Government.

I have the honour to be,
Sir,
Your most obedient servant,

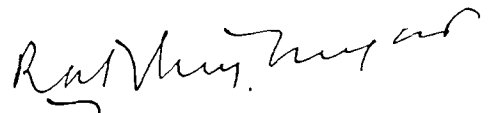
Pravina
Muzrai Commissioner.

Letter No.C.1-492/28-29 dated 5th September 1929,
from the Deputy Commissioner, Bangalore District, to the Revenue
Commissioner in Mysore.

Subject:-- Grant of license by the Bangalore City
Municipality for the construction of an Idga in Survey No.79
of Kethamaranahalli village, Bangalore Taluk.

In continuation of this office No.C.1-492/28-29
dated 22nd March 1929, I have the honour to state that the
President, City Municipal Council, Bangalore, states in his
letter No.L.P.104 dated 6th August 1929, that the Municipality
cannot undertake to put up a wall alround the temple situated
near the Idga in Survey No.79 of Ketamaranahalli village if
the interested parties do not think it worth while to do so.

" C o p y "


For Muzrai Commissioner.

BR.

SUBJECT.....

Diary No. of letter replied to..... *689*.....

General and Revenue Secretariat

(*Muzrai*)

the

192

Date of issue.....

Signed by

Section *Muzrai*

File No. *90-29*

Serial No. *C*

No.

To

The Muzrai Temple
in Mysore, Ch. Mysore

Sir,

With reference to
the correspondence ending with
your letter No C1653
28-29 dated the 21st
24th Oct 1929 about
the building up of the

~~temple~~ ~~at~~ ~~the~~ ~~site~~ ~~of~~ ~~the~~ ~~temple~~

Survey No 79 of

Kethamarasaballi
Village, Melangudi

In short, I am directed
to enquire to be kept
the temple over

List of enclosures

Copied by

Examined by

indicating only in the matter

of walking out-

that the temple is
being built on
the site of the
temple

approved within
the two Hindu
the two Mahomedan
communities

may be walked
from the 99th
the temple

condition belongs &
who gets the usufruct
of the trees or any rent
from any other use of
the land

As it is desirable to
provide some safeguards
^{blue print} necessary for preventing
conflicts between the
two communities in
use of the land for
their religious purposes
at their respective insti-
tutions, therefore the
Deputy Commissioner
to advise to, representing
the Muzai Department
and the Government
and the Municipal
Committee, representing
the Municipality,
may confer together as to the action proposed to be
taken and the agency that should execute the work
in the matter and submit a detailed
report through you
for the orders of Govt
and suggestions of

to suggest that the
D.C. might confer with
the Muzai Committee and report
to the Government the result,
suggesting the necessary especially as
regards the

Enquiry should also be
made as to whom the
land belongs, and who is
the usufruct - a rent from
the use of the land.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

a very early ~~am~~
The ~~latter~~ ~~had~~
present are ~~re-~~
turned here ~~into~~
for ~~reference~~
return ~~mission~~
with ^{the} reply

I have to

20/1/30 8/4/1930
J. S. to Govt

C. S. ~~not~~

20/1/30

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

No 16 89 myz 90-29-3/2/26
Dated, Bangalore, 11/12 February 1930

From **Rajasevapa rayana**

B. SRINIVASA IYENGAR, Esq., B. A., B. L.,

Financial Secretary to the Government of His Highness the Maharaja of Mysore.

To **Rajakaryapavina**

P.G. D'Souza, Esq., B.A., B.L.,

Muzrai Commissioner in Mysore, Bangalore.

Sir,

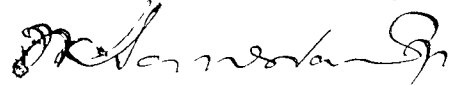
With reference to the correspondence ending with your letter No. C.1653 of 1928-29 dated the 21st/24th October 1929, soliciting orders in the matter of willing out the Muniswara temple situated on Survey No. 79 of Kethamaramahalli village, Bangalore Taluk, to prevent friction between the Hindu and Mahomedan communities, I am directed to suggest that the Deputy Commissioner might confer with the Municipal Commissioner and report the result especially as regards the safeguards to be provided for preventing conflicts between the two communities in using the land for their religious purposes at the respective institutions therein. Enquiry should also be ~~made~~ made as to whom the land belongs and who gets the usufruct or rent from the use of the land.

2. The connected records are returned herewith for reference and ~~return~~ retransmission with the reply.

I have the honor to be,

Sir,

Your most obedient servant,


Secretary to Government,

Financial Department.

Office copy.

No. 1653/28-9

Encl.

Muz 90-29-4

OFFICE OF THE MUZRAI COMMISSIONER

IN MYSORE,

Bangalore, 26th January 1930

29.

FROM

S. P. RAJAGOPALACHARI, Esq., B.A., B.L.,

Muzrai Commissioner in Mysore.

TO

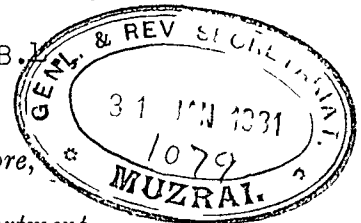
Rajasevaparayana

..... B. Srinivasa Iyengar, Esq., B.A., B.L.

Secretary to Government of His Highness

the Maharaja of Mysore,

..... Department.



SIR,

(1) With reference to the correspondence ending with your letter No. 1689/Muz. 90-29-3 dated 11th February 1930 calling for further -- particulars in the matter of walling out the Luniswara temple ----- situated on S.No. 79 of Kathamarnahalli village, Bangalore Taluk, I -- have the honor to forward herewith copy of the Bangalore District ---- Deputy Commissioner's letter No. C.1-492 of 28-29 dated 27th December 1930. From this it will be seen that during the inspection of the ~~the~~ spot by the then Deputy Commissioner (Mr. I. Seshadri) and the Municipal Commissioner, the Hindus suggested an arrangement which was agreed to by Mahomedans as being satisfactory, and a conclusion was arrived at that putting up a compound wall round the temple would -- not serve any useful purpose.

(2) The Deputy Commissioner states in his letter that as the -- execution of a lutchalika was thought necessary the Amildar who was asked to attend to it reported that the Mahomedans wanted a month's time to execute it and that time has been given accordingly and a final report would be submitted in the matter.

As regards the information required by Government in the -- last sentence of para 1 of the letter under advertance, it will be seen from the Deputy Commissioner's letter dated 8th February 1927 (copy enclosed) that the land in question which was included in the additional areas of the Bangalore city as per Government Notification No. L. 13128/M.L. 143-21-2 dated 25th January 1922 is a Government Tope and that the Municipality has been selling the amara of the trees

trees in it and taking the proceeds to its credit on the plea
Municipal Boundary was extended to include this number. The mere
fact that the No. is included in the Municipal limits does not give
a right to the Municipality to take the Amara of Government lands
which are not specially transferred to it and Government Order --
No.1793-804-M.L. 153-15-10 dated 22 September 1917 has distinctly
reserved the Land Revenue on such lands to Government. The Deputy
Commissioner has written to the ~~Muzrai~~ Municipal Commissioner to ----
refund the amounts so far collected in this behalf by the Municipality.
He will be instructed to take further action in the matter.

I have the honor to be,

Sir,

Your most obedient servant,



Muzrai Commissioner.

mb

Letter No.C.i.l.492/28-29 dated 27th December 1930 from the Deputy Commissioner, Bangalore District to the Muzrai Commissioner in Mysore.

Subject:- Grant of license by the Bangalore City Municipality -- for the construction of an Idga in S.No.79 of Kathamarnahalli ---- village, Bangalore Taluk.

With reference to your Memo No.1653/28-29 dated 18th February 1930 forwarding copy of letter No.1689/Muz.90-29-3 dated 12th ----- February 1930 from the Financial Secretary to Government suggesting that the Deputy Commissioner might confer with the Municipal Commissioner in the matter etc., and three subsequent reminders thereto, I have the honor to state that the Deputy Commissioner (Mr.M.Seshadri, and the City Municipal Commissioner have made a joint inspection of the spot (on the 13th October 1930) on which the Idga has been built in company of the village officers of Kethamarnahalli and the ---- Mohomedans of Seshadripuram and Malleswaram, when the Bangalore City Amildar was also present,. The following conclusion was arrived at.

"The Mahomedans use the Idga for offering prayers only on two days in the year viz., one day during the Ramzan and another day -- during Bakrid. The people of Kethamarnahalli represented that if they were given sufficient previous notice of the prayer on these two days, they could make arrangements to see that no worship was held during the prayer hours at the Muniswara temple so as to --- disturb the Mohomedans from offering prayers at the Idga. The Mahomedans that were present agreed that this arrangement would be satisfactory. We think that this arrangement would obviate to a great extent all possibility of a clash between the two communities. We are afraid that to isolate the temple by putting up a compound wall round it as was suggested, would not serve any useful purpose."

As per later part of the above conclusion, a mutchalika from the two ~~xxxxx~~ communities agreeing to the proposal was thought to be quite necessary and the Bangalore City Amildar was therefore requested to obtain and submit the necessary mutchalika from both the communities. The Amildar has, in his No.Muz.104/30-31 dated 10-11-1930, reported that the Mohomedans have given a statement that they want one month's time to execute a mutchalika required by this office.

The time of ~~xx~~ one month asked for by the Mohamadans has been --

been directed to submit their mutchalikas
of the same from him, a final report will be submitted. to
matter.

"C o p y"

R. N. Muzrai
For Muzrai Commissioner.

24

Letter No.P2-D.2287-25 dated 3-2-1927 from the Deputy Commissioner, Bangalore District, to the Municipal Commissioner, Bangalore City.

It has been reported to this office by the Amildar of Bangalore Taluk, that the Amarayi in the tope (kharat S.No.79) of Ketmaranahalli village has been auctioned by the Municipality. As this is a kharat number and a public tope, the Municipality does not seem to possess any right over the same even though the land is included within the Municipal limits (vide Rule 13 J.R.R.). In the circumstances I request that all amounts which have been realised by the auction of the Amarayi in the tope till now by the Municipality may be paid to the Revenue Department (To the Amildar, Bangalore Taluk).

"COPY"

R. Muzrai
For Muzrai Commissioner.

mb

19]

No. 1653 Encl 2
28-9

21
may 90-29-5
OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

Dated, Bangalore, 7th December 1931

FROM

S. HIRIANNAIYA, Esq., M.A., B.L.,
Muzrai Commissioner in Mysore

608
Rajasevaramayana
P. SRIKANTH SWAMY, Esq., M.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore

Financial Department

SIR,

267
In continuation of this office letter No. 1053/25-30 dated 10
28th January '31 regarding the "Mutch" land to be exercised by the
Mahomedans and the Hindus regarding the use of the Idag constructed
in No. 70 of Athamarana village, Bangalore Taluk, I have the
honor to state that the Deputy Commissioner reports that the
ans who appeared before the Amildar were not willing to exercise the
"Mutch" land but that the Hindus in their "Mutch" have said that
they have no objection to the Idag already constructed if the
are not prevented from observing their usual religious ceremonies
and that they (the Hindus) would not perform a function on "Mutch"
days and recommends that the place may be allowed to be used by
Mahomedans on the lines indicated by the Hindus. The arrangement is
not very satisfactory but no other solution of the difficulty seen
possible at present.

2. As regards the trees on the land, the Deputy Commissioner reports
that the usufruct will vest in the Revenue Department and I entirely
agree.

3. Copy of the Deputy Commissioner's letter No. 31-42/25-30 dated
24-7-31 is herewith sent for kind perusal.

I have the honor to be,

Sir,

our most obedient servant,

S. Hiriannaiya
Sub Muzrai Commissioner.

AM/

Letter No. G1-492/28-29 dated 24-7-31 from the Deputy Commissioner Bangalore District, to the Muzrai Commissioner in Mysore.

Subject:- Grant of License by the Bangalore City Municipality for the construction of an Iga in S. No. 79 of Konda Konda halli village, Bangalore Taluk.

In continuation of this office letter No. G1-492/28-29 dated the 27th December 1930 regarding the above, I have the honor to state that the Bangalore City Amildar who was directed to obtain and submit necessary mutchhalikas from the two communities agreeing to the proposal made by the Deputy Commissioner (Mr. M. Seshadri) and the City Municipal Commissioner after spot inspection on the 13th October 1930 reported in his No. Muz. 104/30-31 dated 2-1-31 that the Mahomedan citizens were given notice to execute a mutchhalika as directed by this office and that they appeared before him and stated that they were not willing to execute any mutchhalika. The Amildar was further directed to obtain and submit the mutchhalika from the Hindus concerned. He has submitted the same with his report No. Muz. 104/30-31 dated 23-5-31 and it is seen therefrom that the Hindus have no objection for the Iga being constructed if they are not prevented from observing their usual functions as per mamool and that they would not perform any function on "Rutha" days.

I think ~~xx~~ that as it is only an Iga, the use of the place by Mahomedans may be allowed on the lines indicated by the Hindus. The usufruct of the trees will vest in the Revenue Department and the Municipality has no right to the land or to the trees standing thereon.

"COPY"

M. Seshadri

mt For Muzrai Commissioner.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read:—

Correspondence ending with letter No.1653/28-29, dated 7th December 1952, from the Muzrai Commissioner in Mysore, regarding the construction of an Idga in S.No.79 of Kothamangahalli village (Government amarayi tops) included in the Municipal limits on the authority of a license granted by the Bangalore City Municipal Council to the Mohammedans of Beshadripuram, Old Sagar Lines and Malleswaram.

Order No. 1976-80/28-29-6

Dated, Bangalore the 27th June 1952.

Under Government Notification No.1.4128/11.143-21-2, dated 25th January 1922 extending the Bangalore City Municipal limits, an amarayi tops (Government unoccupied land) bearing S.No.79 of Kothamangahalli Village was included within the municipal boundary. On the application of certain Mohammedan residents of Beshadripuram, Old Sagar Lines and Malleswaram the City Municipal Council granted a license for the construction of an Idga on the said land. As the land was valuable containing a large number of trees and yielding amarayi revenue the Deputy Commissioner, Bangalore District, requested the Municipal Commissioner to withdraw the license and remit to government the realisations of the amarayi produce which had been auctioned by the Municipality. The Hindu residents of the Kothamangahalli village also raised an objection to the construction of the Idga on the above site, owing to its proximity to the Vinayaka temple there. Correspondence ensued between the Deputy Commissioner and the Municipal Commissioner for arriving at a settlement of the points of difference. As it was found that the Idga had already been constructed, the Muzrai Commissioner suggested that it might be allowed to stand and that the Vinayaka

Temples be called off at the cost of the Municipality. (36)
 It was ascertained by further enquiry that this arrangement
 would not serve any useful purpose and that the Hindu
 residents could have no objection to the Idga if they are
 not prevented from observing their usual functions in the
 temple according to custom except on 'Putha' days. The
 land included in the Idga belongs to Government and the
 Bangalore City Municipality has no right of ownership over it.
 The license granted by the Municipality was not sufficient
 authority for the construction of an Idga on the land. As,
 however, the Idga has already been constructed, it may be
 allowed to continue subject to the condition specified by the
 Municipal Commissioner, viz., that the Hindus should not be
 prevented from observing their usual functions according to
 custom except on 'Putha' days.

The amoral rights in the Idga in question should be
 decided by the Revenue Department.


 Financial Secretary to Government.
 95

To

The Municipal Commissioner in Mysore with records.
 The Comptroller to Government.
 The Revenue Commissioner in Mysore
 The Municipal Commissioner, Bangalore City, through the
 President, City Municipal Council, Bangalore.
 The Deputy Commissioner, Bangalore is rect.

ed

150/8.

Proceedings of the Government of

H.H.the Maharaja of Mysore.

(37)

608-37

Read:-

Correspondence ending with letter No.1653/28-29 dated 7th December 1931, from the Muzrai Commissioner in Mysore regarding the construction of an idga in S.No.79 of Kethamarnahalli village (Government amarayi tope) included in the municipal limits on the authority of ^athe license granted by the Bangalore City Municipal Council to the Mahomedans of ~~the~~ Seshadripuram Old Sawar Lines, and Malleswaram.

Order No. 1976-80/23 9029-6

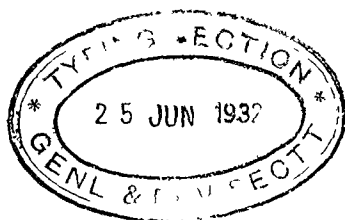
Dated Bangalore, the 28th Jan. 1932.

under Government Notification No. L.4128/M.O.143-21-2 dated 25th January 1922 extending the Bangalore City Municipal limits, an amarayi tope (Government unoccupied land) bearing S.No.799 ^{of} Kethamarnahalli Village, ~~were the Mahomedan residents of Malleswaram and Seshadripuram proposed to construct an idga, became~~

^{with}in the municipal boundary. On the application of certain Mahomedan

Seshadripuram, Old Sawar Lines and Malleswaram

residents of ~~the place~~ the city Municipal Council granted a license for the construction of an idga on the said land. As the land was valuable containing a large number of trees



P.T.O.

and yielding amara revenue, the Deputy Commissioner, Bangalore District, requested the Municipal Commissioner to withdraw the license and remit to Government the realisations of the amara produce, which had been ^{ascertained by the Municipal} ~~realised~~. The Hindu residents of the Methamarnahalli village ~~appear to have~~ also raised an objection to the construction of the Idga on the above site, owing to ^{its} the proximity ^{to} of the Muniswara temple. ^{There} Correspondence passed on between the Deputy Commissioner and the Municipal Commissioner for arriving at a settlement of the points of difference between ~~the two departments regarding the grant of license.~~ As it was found that the Idga had already been constructed, the Muzrai Commissioner suggested that it might stand and that ^{be allowed to} the Muniswara temple be walled off at the cost of the Municipality. ^{It was ascertained by} further enquiry ~~in the matter elicited~~ that this ^{arrangement} ~~safeguard~~ would not serve any useful purpose and that the Hindu residents ^{would} ~~will~~ have no objection to the Idga if they are not prevented from observing ^{their} usual functions in the temple ^{according to} ~~as per~~ mamool except on "Khutba" days.

~~Government agree with the Muzrai Commissioner that the land included in the tope belongs to Government and~~

the Bangalore City Municipality has no right of ownership over it. The license granted by the Municipality was not sufficient authority for the construction of an Idga on the Government land. ^{however} As the Idga has ^{been constructed} already ~~come into existence~~, it may be allowed to continue subject to ^{specified by the M.C. viz} the conditions that the Hindus should not be prevented from observing their usual functions, ^{according to} as per mamool, ~~but that they should not perform any~~ ^{except} function on "Khutba" days.

The amarai rights on the tope in question should be disposed of by the Revenue Department.


Financial Secretary to
Govt.

To

The Muzrai Commissioner in Mysore
with records.
" Comptroller to Govt.
" Revenue Commissioner in Mysore.
" Municipal Commissioner,
Bangalore City through the
President, City Municipal
Council, Bangalore.
Deputy Commissioner, Bangalore
District.



B.K.M.

Cpy to Secy, Mysore
Cpy to Rev. Secy

C R. S. IX-5]

Previous references.

57-11 H142
200 60-16 H 3,844
(200,)
1916-17.

Later references.

File No. 60-16.

Serial Nos. 24 & 26,

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 24 & 26.

Part B for May 1917.

SUBJECT. for house rent
The sanctions of Rs. 40 ^{to the Head Master of}
the Collegiate High school Mysore from the
date of his taking charge of the school

20 To the D.G. of Education
To the Comptroller of the Fort
89/16-17 D, 7/5/17
sanctions the payment of the above rent.